

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

JANET P.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 3:20-cv-24

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff Janet P.'s motion for summary judgment, Dkt. 8, and Defendant Commissioner of Social Security's motion for summary judgment, Dkt. 12. Pursuant to Standing Order 2019-7² and 28 U.S.C. § 636(b)(1)(B), the Court referred this matter to United States Magistrate Judge Joel C. Hoppe for proposed findings of fact and a recommended disposition. In his Report and Recommendation ("R&R"), Judge Hoppe determined that the Commissioner's final decision to deny benefits was not supported by substantial evidence and recommended reversing the decision and remanding the matter for further administrative proceedings under the fourth sentence of 42 U.S.C. § 405(g). Dkt. 16.

After reviewing the record in this case, and since neither party has filed objections to the R&R within fourteen days of its service upon them, the Court adopts the R&R in its entirety.

Accordingly, the Court hereby:

1. **ADOPTS** Judge Hoppe's R&R in full, Dkt. 16;

¹ This Court adopts the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States that courts only use the first name and last initial of the claimant in social security opinions.

² This case was initially assigned to Senior Judge Glen E. Conrad and subsequently transferred to Senior Judge Norman K. Moon. *See* Dkt. 14.

2. **GRANTS** Plaintiff Janet P.'s motion for summary judgment, Dkt. 8;
3. **DENIES** the Commissioner's motion for summary judgment, Dkt. 12; and
4. **REVERSES** the Commissioner's final decision and **REMANDS** the matter for further administrative proceedings under the fourth sentence of 42 U.S.C. § 405(g).

The Court further **DIRECTS** the Clerk of the Court to **DISMISS** this case from the Court's active docket and to send a copy of this Order to all counsel of record and to United States Magistrate Judge Joel C. Hoppe.

It is so **ORDERED**.

Entered this 14th day of September, 2021.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE